

**TOWN COUNCIL MEETING - WEDNESDAY EVENING - AUGUST 29, 2012**

PRESENT: Marshall, Barboza, Teixeira, Herreshoff, and Parella

ALSO PRESENT: Diane C. Mederos, Town Administrator  
Andrew M. Teitz, Esq., Assistant Town Solicitor  
Marshall J. Netto, Town Sergeant

The Council met in regular session on Wednesday evening, August 29, 2012 in the Town Hall, Council Chambers, beginning at 7:10 o'clock PM, Council Chairman Marshall presiding:

Prior to commencement of this evening's regular agenda, Council Chairman Marshall noted that hurricane season is upon us and that there are currently problems in the Gulf of Mexico. He added that the Tanyard Brook project is underway and that this \$4 million project will address some of the storm water problems within the watershed area of the brook.

Council Chairman Marshall added that the Tanyard Brook area of Town is low-lying and that it is impossible to address every natural eventuality.

Council Chairman Marshall strongly suggested that citizens should be proactive and definitely consider obtaining flood insurance if their property is located within flood-prone areas.

Council Chairman Marshall noted that the National Grid website contains some "lessons learned" as a result of Hurricane Irene. He added that National Grid appears to have undertaken a more thorough tree maintenance program and also that the Company appears resolved to do a better job in the future.

Councilman Barboza noted that he was the Town's emergency preparedness director some years ago and managed storm activities in the past. He added that during his tenure, the former electric utility, Narragansett Electric, had a representative in regular contact with the Town.

Also prior to the commencement of this evening's regular agenda, Councilman Barboza commended Police Sergeant Julie Veader for her handling of a "delusional" individual who entered both St. Mary's Church and St. Michael's Church during worship services and made unsettling statements.

Councilman Barboza noted that the Police Department responded quietly and effectively; providing protection to the worshippers. He offered the Council's congratulations to the entire Police Department.

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Also prior to the commencement of this evening's regular agenda, Councilwoman Parella congratulated the Fire Department upon its successful fundraising event to benefit the family of "Baby Emma" who has serious health issues. Councilwoman Parella noted that the fundraising activity was well organized with "tons of people" in attendance.

Councilman Barboza agreed with Councilwoman Parella regarding the success of the fundraising activity, noting that the event raised over \$14,000. Councilman observed that the Fire Department acts like a "family."

Council Chairman Marshall agreed with Councilwoman Parella and Councilman Barboza and stated that the event was inspiring. He added that the business community also participated as part of this grand "civic involvement."

Councilman Teixeira agreed with the earlier speakers and stated that the event was a "great experience with great attendance."

Also prior to the commencement of this evening's regular agenda, Councilman Teixeira read the following statement into the record:

"After watching the Town Council meeting of August 9 (sic) a couple of times - I had the opportunity to listen to some comments made about me having an agenda against - the Police Department, the Fire Department and Department of Public Works.

"Any and all action items that I've had to vote on have been addressed at open public meetings. I have not approached any Department Head and requested anything that is beyond the scope of the Department nor have I intervened or interfered on the operation of any of the stated departments.

"If asking clarifying questions for my information or on behalf of the town residents is an agenda - then I am doing what I was elected to do.

"I look forward to continue to work with all for all.

"Thank you."

Also prior to the commencement of this evening's regular agenda, Councilman Herreshoff suggested that an item should

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be added to the agenda under old business to consider the matter of transient dock space.

Barboza/Teixeira - Voted  
unanimously to add an item to the  
agenda to consider the matter of  
transient dock space under old  
business.

**MOTION RE: CONSENT AGENDA - TO APPROVE THE CONSENT AGENDA**

Herreshoff/Teixeira - Voted  
unanimously to approve the Consent  
Agenda withholding agenda items  
AA11, AA12, AA13 (to be considered  
simultaneously) and also agenda  
items Q1 and Q2 (also to be  
considered simultaneously) and to  
combine regular agenda items B6 and  
K2.

Prior to the vote taken, Councilman Herreshoff asked that Consent Agenda items AA11, AA12, and AA13 might be withheld for further consideration, and Councilman Teixeira asked that Consent Agenda items Q1 and Q2 might be withheld for further consideration. Councilman Teixeira also suggested that regular agenda items B6 and K2 might be combined so as to consider these items together.

**A. SUBMISSION OF MINUTES OF PREVIOUS MEETING(S)**

**1. Special Town Council Meeting - April 19, 2012**

Barboza/Teixeira - Voted  
unanimously to approve these  
minutes as prepared and presented.

**2. Special Town Council Meeting - August 1, 2012**

Barboza/Teixeira - Voted  
unanimously to approve these  
minutes as prepared and presented.

**3. Town Council Meeting - August 8, 2012 (action items only)**

Barboza/Teixeira - Voted  
unanimously to approve these  
minutes as prepared and presented.

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4. Special Town Council Meeting - August 6, 2012  
(action items only)

Barboza/Teixeira - Voted  
unanimously to approve these  
minutes as prepared and presented.

**(CA) AA. SUBMISSION OF MINUTES-Boards and Commissions**

**Approval of consent agenda="Motion to receive and place  
these items on file."**

1. Historic District Commission - July 5, 2012
2. Fourth of July Committee - January 10, 2012
3. Fourth of July Committee - February 9, 2012
4. Fourth of July Committee - March 7, 2012
5. Fourth of July Committee - April 4, 2012
6. Fourth of July Committee - May 1, 2012
7. Fourth of July Committee - May 16, 2012
8. Fourth of July Committee - June 6, 2012
9. Fourth of July Committee - June 18, 2012
10. Fourth of July Committee - July 11, 2012
11. Animal Shelter Capital Project Committee -  
June 27, 2012

*It is hereby noted for the record that this matter was  
discussed in combination with agenda items AA12 and AA13.*

Herreshoff/Teixeira - Voted  
unanimously to receive and place  
this matter on file.

Prior to the vote taken, Councilman Herreshoff stated that  
according to the Capital Project Committee minutes, it  
appears to him the project is moving and will perhaps break  
ground soon.

Councilman Herreshoff noted that the voters approved \$2  
million and that he "finds alarming" that the budget appears  
to be over by \$300,000.

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Reading from the minutes, Councilman Herreshoff stated that it was also alarming to him that the architect did not include certain documents.

Councilman Herreshoff recalled that he was assured that the Town will not spend more than \$2 million and that this was to include the cost of the building and preparation of the site, etc. Councilman Herreshoff suggested that the Committee should assure that the project is "value engineered" so as to bring the project within the available budget amount and that he will not allow the Town to spend more than \$2 million.

Council Chairman Marshall noted that he attended that last meeting of the Capital Project Committee and that Police Chief Canario, Town Treasurer Goucher and Director of Community Development Williamson have made it clear that their charge is to not spend more than \$2 million. He added that the Committee has been clear that any expenditure beyond this amount must be financed through fundraising.

Council Chairman Marshall stated that the final documents are anticipated this week and that the drawings are at "schematic K" meaning that the building has been designed and re-designed. Council Chairman Marshall added that the architect's plans are almost complete with a list of add/deduct alternates. He also reported that there will be a pre-bid meeting so as to assure that all potential suppliers will be aware of the add/deduct alternates.

Council Chairman Marshall observed that the building, originally planned for 10,000 square feet has been "whittled" down to 6,800 square feet and that this change was necessary in order to set and meet the Town's budget.

Council Chairman Marshall noted that the new drawings will be available this week and that the Capital Project Committee will go out to bid.

Councilman Herreshoff stated that he was pleased with the report as provided by Council Chairman Marshall. Councilman Herreshoff noted that he heard a similar report previously and stated that he was curious to know if the architect cooperated with the Committee.

Police Chief Canario noted that the architect was "brought back around" and also that it was "on the record" concerning the Committee's anticipation that the building will be

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completed within the available budget. He added that Mr. Freedenfeld, the architect, is not an estimator.

Police Chief Canario assured the Council that the Committee will build the Animal Shelter according to the available budget amount.

12. Animal Shelter Capital Project Committee -  
July 12, 2012

*It is hereby noted for the record that this matter was discussed in combination with agenda items AA11 and AA13.*

Herreshoff/Teixeira - Voted  
unanimously to receive and place  
this matter on file.

13. Animal Shelter Capital Project Committee -  
July 25, 2012

*It is hereby noted for the record that this matter was discussed in combination with agenda items AA11 and AA12.*

Herreshoff/Teixeira - Voted  
unanimously to receive and place  
this matter on file.

14. Zoning Board of Review - June 4, 2012

15. Bristol Warren Regional School Committee -  
June 25, 2012

**B. OLD BUSINESS**

1. Councilman Herreshoff re State Street Pier,  
**continued from August 8, 2012**

- a. Councilman Herreshoff re State Street  
Dock completion

**LATE ITEM**

- b. Public Works Director Galuska re cost  
estimate

Herreshoff/Barboza - Voted  
unanimously to authorize the  
expenditure of \$5000 and to also  
authorize Public Works Director  
Galuska to proceed with the  
prototype project to include three  
types of decking material.

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Prior to the vote taken, Councilman Herreshoff reported that the Town has scheduled a completion celebration but there remains the need to bring the edges of the dock to meet the new pilings.

Councilman Herreshoff added that he suggested that wood might be used and that it was also suggested that a metal deck may be superior. Councilman Herreshoff asked to know if there was a report on the situation to date.

Public Works Director Galuska reported that he met with Principal Planner Tanner and also the dock builders and Mr. DaPonte. Public Works Director Galuska also reported that the group drew a conclusion that the Town will purchase the grating materials and that the contractors will install these grates.

Councilman Herreshoff asked to know when this would happen with Public Works Director Galuska responding that the grate materials will be purchased tomorrow should the Council approve the purchase.

Public Works Director Galuska also reported that the materials suppliers have also recommended fiberglass grate material. He added that this material is ultra-violet light stable and also available in a variety of colors.

Councilman Herreshoff suggested that the Town should purchase a piece of each material (wood, metal, and fiberglass) and "see how it looks."

Public Works Director Galuska agreed that it would be a good idea to build a prototype to include each material.

After the vote taken, Public Works Director Galuska noted, with the Council in agreement, that he would purchase a thicker gage of galvanized steel.

2. Councilman Barboza re Hope Street business signage, **continued from August 8, 2012**

Barboza/Teixeira - Voted  
unanimously to continue this matter  
until the meeting of September 19,  
2012.

Prior to the vote taken, Councilman Barboza asked for a continuance and informed the Council that he plans to include Public Works Director Galuska in the discussions.

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3. Town Administrator Mederos re EBEC Representatives
  - a. Councilman Herreshoff re EBEC closure perspective

Barboza/Teixeira - Voted unanimously to continue this matter to a Council workshop hosted by the Town and arranged by the Clerk to include Chairman Napolitano and members of the EBEC Board as required.

Prior to the vote taken, Council Chairman Marshall introduced Jeanne Marie Napolitano, Chairman of the EBEC Board. Ms. Napolitano read from a prepared statement as follows:

"Good Evening. My name is Jeanne Napolitano and I am the Chair of East Bay Energy Consortium (EBEC) and the council appointed representative for Newport to EBEC.

"I am here tonight after watching your meeting of August 8<sup>th</sup> where a former representative from Warren, Mr. Andrew Shapiro, stated he was speaking as a private citizen. I personally initiated a phone call to the attorney for APEX Wind in June, after several misstatements were made at a hearing at the State House by Mr. Shapiro. I inquired whether he represented APEX Wind. Without hesitation the response from the attorney was an emphatic YES.

"Mr. Shapiro never stated he worked for APEX Wind at the Statehouse, nor before you on August 8<sup>th</sup>, which most individuals would consider this at minimum disingenuous, and outright dishonest.

"To state several times, during his testimony before you, he was a founding member, is very confusing to EBEC. The membership of EBEC consists of the nine communities, not founding members. I do not recall meeting Mr. Shapiro prior to his appointment as a representative of the member community of Warren.

"He presided over a meeting, of which I was out of town, and stated he should be compensated for all of the work that he does. Most of the representatives called as they were outraged, as we are all volunteers. Warren Town Council



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removed Mr. Shapiro from EBEC, as it is the prerogative of any of the member communities of EBEC.

"He spent a great deal of time discussing the money, portraying some representatives as looking for some sort of "payday" yet the only volunteer representative to express wanting to be compensated was Mr. Shapiro. It was insulting to the other representatives who have worked tirelessly on behalf of their communities.

"With our new round of funding the representatives wanted to move forward with a competitive and open process. They voted to develop and RFP for the positions of project manager and legal services. Our former facilitator chose not to submit a proposal. Several bidders complied with the process for both the consultant and attorney positions. Interviews were conducted by the representatives and a new consultant and attorney firm was hired. To suggest, as Mr. Shapiro did the "he did not want to go into all of the sordid details as we insulted our facilitator and created horrible conditions for the attorney which is the reason they left" is simply untrue and an outright lie.

"Our mission has remained constant. We are exploring the options available of using renewable energy within our nine communities to develop an economy of scale which could save cities and towns money, thereby saving the taxpayer money.

"Our intention is to provide each member community and councilor as much information as we can, on our efforts to move forward together."

Council Chairman Marshall suggested that it may be better to consider the matter more fully in a workshop convened solely for that purpose.

Council Chairman Marshall stated that it was important to consider "both sides of the equation."

Christine Weglowski Forster, Vice-chairman of the EBEC Board also addressed the Council. Ms. Forster explained that she wished to discuss billing and reported that the Board streamlined their approval process in order to make Board meetings more efficient. She added that the Board never relinquished its oversight of the practice of approving invoices. She defended the practice and added that her only regret was that Director of Community Development Williamson was exposed to undeserved criticism.

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Ms. Forster also reported on the terminology used to describe EBEC preparations, noting that the Board used the terms Phase I, etc., since these were easy to understand. She added that EBEC "was not building anything and did not have the power to award contracts." She explained that the Board planned to report back to the cities and towns and that the EDC was present and vocal during the process.

Ms. Forster stated that she would plan to participate in any workshop and that the EBEC has open meetings where the public is welcome to be in attendance.

Council Chairman Marshall stated that Ms. Forster's comments were most constructive and that the matter would be better further discussed in a special workshop called for that specific purpose.

He suggested that it would be advisable for any further comment to be withheld until the workshop since the Council docket remained to be lengthy.

Mr. Shapiro asked for the opportunity to rebut the comments of the earlier speakers.

Council Chairman Marshall again stated that Mr. Shapiro would be welcome to speak at the workshop with Mr. Shapiro stating that he presented the facts of the case during his earlier testimony.

4. Councilman Barboza re Garfield Avenue flooding

Barboza/Herreshoff - Voted  
unanimously to receive and place  
this matter on file.

Prior to the vote taken, Councilman Barboza reported that on Friday, August 10, 2012 approximately 1 - 1.5 inches of rain fell during a twenty minute period causing some concerns regarding flooding.

It was noted that the improvements to the Tanyard Brook outfall will resolve some of the flooding problems in the area but also that results of extreme weather events may not be completely resolved by the brook improvements.

5. Ethan M. Tucker, 34 Thames Street re petition to review establishment of "Energy and Environment Commission"

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Herreshoff/Teixeira - Voted  
unanimously to continue this matter  
to the workshop as outlined above  
with the date to be arranged at the  
convenience of the parties.

Prior to the vote taken, Council Chairman Marshall suggested  
that since this matter appears to be somewhat related to the  
upcoming EBEC workshop that the matter might be continued to  
the date of the workshop.

Mr. Tucker agreed that the matter might be better presented  
and discussed in a workshop format.

6. Councilman Herreshoff re Tanyard Brook and  
Harker Avenue drainage projects

*It is hereby noted for the record that this matter was  
considered in combination with agenda item K2.*

Herreshoff/Teixeira - Voted  
unanimously to continue this matter  
until the meeting of September 19,  
2012.

Prior to the vote taken, Councilman Herreshoff asked to know  
if the agreements were executed with Assistant Solicitor  
Teitz responding that these were not yet complete.

Councilman Herreshoff asked Director of Community  
Development Williamson when these would be complete with  
Director of Community Development Williamson responding that  
she was not involved in this matter.

Councilman Herreshoff stated that he was on site and that  
the neighbors appear to be satisfied with the size of the  
pipe and that he understands from BETA and Public Works  
Director Galuska that releases are needed.

Assistant Solicitor Teitz stated that the releases should be  
ready next week.

Councilman Teixeira noted that there are four other  
neighbors and that Mr. DeLeo wishes to be advised of the  
plan and how it is proceeding. He suggested that Mr. DeLeo  
might be included in the conversation.

Town Administrator Mederos stated that Public Works Director  
Galuska has attempted to contact Mr. DeLeo.

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**ADD ITEM 7. Councilman Herreshoff re Transient Docks**

A discussion ensued regarding the Town-owned transient docks with Councilman Herreshoff noting that it appears to be unnecessary to charge \$10 for the use of a transient dock.

Assistant Solicitor Teitz noted that the fee for the use of transient dock space is found in the Town Code as ordained by the Council.

Councilman Herreshoff suggested that the provision might be removed with Council Chairman Marshall asking to know if the revenue was budgeted.

Councilman Herreshoff stated that it appears to be impractical to pay an assistant harbor master to go and collect \$10.

Councilman Barboza noted that the Explore Bristol committee seems to have some ideas regarding the Town providing transient dock and mooring accommodations.

No action was taken regarding this item since it is "informational" only.

**BB. SPECIAL /STATUS REPORTS**

**1. Department of Human Services and Welfare -  
Report, Period Ending August 1, 2012**

Barboza/Herreshoff - Voted  
unanimously to receive and place  
this matter on file.

Prior to the vote taken, Councilman Barboza noted that the surplus Council Contingency Account funds were allocated to the telephone dialer program and that he agreed with the Human Services Director's decision to do so.

**2. Building Inspection Department - Report, July  
2012**

Barboza/Herreshoff - Voted  
unanimously to receive and place  
this matter on file.

**C. PUBLIC HEARINGS**

**D. ORDINANCES**

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1. Ordinance #2012-05, Chapter 27, Taxation, Article I, In General, Section 27-5, Tax stabilization incentive for industrial, commercial and manufacturing facilities, **1<sup>st</sup> reading**

Barboza/Herreshoff - Voted unanimously to consider this action to constitute the first reading of Ordinance #2012-05. Advertise in local newspaper.

Prior to the vote taken, Council Chairman Marshall reported that he and Alan Crisman provided this amendment so as to "tweak" the current ordinance and allow for more consistency. Council Chairman Marshall observed that there are usually no Council comments at the first reading stage of ordinance adoption, but suggested that Council members should choose to examine the current language and proposed changes closely. Council Chairman Marshall added that the ordinance is "only one tool in the tool box" of economic development subsidy by the Town and that the goal of this particular "tool" is to help businesses expand in Bristol.

Councilman Teixeira noted that he has some questions regarding this proposal and suggested that the Council should be cautious in approaching this amendment.

Council Chairman Marshall also suggested that Council members might wish to discuss the matter with Tax Assessor Spagnolo and Town Solicitor Ursillo.

Councilman Teixeira stated that he believes that some of the assertions are contradictory with Council Chairman Marshall agreeing that the language is difficult but also that it evokes ideas.

**(CA) E. BUDGET ADJUSTMENTS**

**Approval of consent agenda="Motion to approve these adjustments."**

1. Tax Assessor Spagnolo re Recommended Abatements and Additions, August 2012

**F. APPOINTMENTS**

1. Public Service Appointments

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- a. Harbor Commission Advisory Committee (2)  
(term to expire in August 2015)
  - 1. Leeds Mitchell, 14 Griswold Avenue  
- interest/reappointment

Councilman Barboza nominated Mr. Mitchell for reappointment.

There were no counter-nominations.

Barboza/Teixeira - Voted  
unanimously to close nominations  
and to instruct the Clerk to cast  
one ballot in favor of Mr. Mitchell  
with term to expire in August 2015.

- b. Economic Development Commission (2)  
(terms to expire in September 2015)
  - 1. George S. Burman, 66 Highland Road  
- interest/reappointment
  - 2. Pamela D. Delaney, 133 Ferry Road -  
interest/reappointment

Councilwoman Parella nominated Ms. Delaney and Mr. Burman  
for reappointment.

There were no counter-nominations.

Parella/Barboza - Voted unanimously  
to close nominations and to  
instruct the Clerk to cast one  
ballot each in favor of Ms. Delaney  
and Mr. Burman with terms to expire  
in September 2015.

After the vote taken, Mr. Burman questioned RIGL §38-2-9,  
and stated that he was of the opinion that volunteer board  
and commission members should not be personally liable for  
fines.

It was suggested that Mr. Burman may wish to discuss this  
issue with the Attorney General.

Councilman Barboza noted that the fines would be imposed  
only if the act was deemed to be malicious.

Councilwoman Parella suggested that this matter might be of  
interest to the legislature.

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- c. Zoning Board of Review - Alternates (2)  
(to fill unexpired terms of first and second alternates to expire in March 2013)
  - 1. Tony M. Brum, 240 Franklin Street - interest/appointment
  - 2. Paula J. Martel, 1059 Hope Street - interest/appointment

Councilman Barboza nominated Mr. Brum for appointment to the position of first alternate member.

There were no counter-nominations.

Barboza/Teixeira - Voted  
unanimously to close nominations  
and to instruct the Clerk to cast  
one ballot in favor of Mr. Brum  
with term to expire in March 2013.

Prior to the vote taken Councilman Barboza noted that Mr. Brum was recently interviewed for another position.

Barboza/Teixeira - Voted  
unanimously to instruct the Clerk  
to arrange an interview for Ms.  
Martel at the convenience of the  
parties.

**G. LICENSING BOARD - NEW PETITIONS**

- 1. Frank Vento, Jr., 16 Charlotte Drive -  
request for Private Investigator's License
  - a. Recommendation - Chief of Police

Teixeira/Barboza - Voted  
unanimously to grant this license  
per the recommendation received and  
subject to conformance to all laws  
and ordinances and payment of all  
fees, taxes, and levies.

- 2. Earl A. Fox, 16 Charlotte Drive - request for  
Private Investigator's License

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Herreshoff/Teixeira - Voted unanimously to grant this license per the recommendation received and subject to conformance to all laws and ordinances and payment of all fees, taxes, and levies.

Prior to the vote taken, Police Chief Canario informed the Council that he was providing Town Administrator Mederos with a positive recommendation regarding the issuance of this license.

3. Michael Abbruzzi, for 2<sup>nd</sup> Story Theatre, 28 Market Street, Warren - request for Dancing and Entertainment License (non-profit) to hold performances in the Bristol Statehouse, Courtroom, November 2 - December 2, 2012 (extended date through December 16, 2012 if needed)
  - a. Recommendation - Chief of Police (with conditions)

Barboza/Teixeira - Voted unanimously to grant this license per the recommendation received and subject to conformance to all laws and ordinances and payment of all applicable fees, taxes, and levies and to instruct the Clerk to send a letter indicating that patrons and theater personnel should both be encouraged to park away from the residential area.

Prior to the vote taken, Councilwoman Parella stated that parking in the area is already difficult and that hers is the only house along that block with a driveway. She noted that some neighbors have found the need to park blocks away on summer weekends.

Councilwoman Parella noted that 2<sup>nd</sup> Story Theater appears to be instructing their own personnel to park in the lots on Court Street but that patrons are not provided with parking instructions. She recommended that a notice should accompany theater tickets suggesting that patrons should not park in front of residential buildings.

Police Chief Canario agreed to have his officers reach-out to 2<sup>nd</sup> Story Theater concerning this matter.



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H. LICENSING BOARD - RENEWALS

1. Brian DaPonte, d/b/a B & B Excavation, Inc.,  
44 Sowams Drive - 60-day review of  
Drainlayer's License (license granted June  
27, 2012)

**LATE ITEM**

- a. Recommendation - Director of Public  
Works

Teixeira/Parella - Voted  
unanimously to grant this license  
for a full-term per the  
recommendation received and subject  
to conformance to all laws and  
ordinances and payment of all fees,  
taxes, and levies.

Prior to the vote taken, Councilman Barboza asked to know if  
the petitioner had been cited for any violations with Police  
Chief Canario responding that there were no violations  
reported.

**(CA) I. UTILITY PETITIONS**

**Approval of consent agenda="Motion to approve these  
petitions."**

1. Department of Public Works - Road Cut Permits

J. PETITIONS - OTHER

1. Jonah Camara, 26 Sampson Street - request for  
curb cut

**LATE ITEM**

- a. Public Works Director Galuska - request  
for continuance

Herreshoff/Barboza - Voted  
unanimously to continue this matter  
until the meeting of September 19,  
2012 and to instruct the Clerk to  
provide the record of the earlier  
petition.

Prior to the vote taken, Public Works Director Galuska noted  
that there was a petition several years ago and that he has  
not yet had the opportunity to review the file and asked for  
a continuance.

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Council members also requested to receive a copy of the previous petitioner's file prior to the meeting of September 19, 2012.

2. Marina Peterson, 38 Thompson Avenue re Bristol County Water Authority Monthly Report of June 29, 2012 (received and filed July 18, 2012)

Herreshoff/Teixeira - Voted  
unanimously to receive and place  
this matter on file.

Prior to the vote taken, Ms. Peterson asked for the opportunity to read a statement relative to the subject Water Authority report.

Council Chairman Marshall stated that the Council does not have any ability to change the content of the report.

Assistant Solicitor Teitz agreed with Council Chairman Marshall and stated that only the Water Authority or Mr. Klepper would have the ability to modify the report.

Ms. Peterson read her statement aloud for the record. A copy of this statement is included in the records of this meeting.

3. Jodi M. Gladstone, M.Ed., Esq., Frank S. Lombardi Law Associates, P.C., for Janine Hudson and Devonte Cheek re claim for injury

Herreshoff/Barboza - Voted  
unanimously to refer this matter to  
the Town Solicitor.

4. Paula Butlin, 7 Old Ferry Road re trespassing, etc.

Herreshoff/Barboza - Voted  
unanimously to continue this matter  
until the meeting of September 19,  
2012 and to request that the Chief  
of Police prepare a report  
concerning same.

Prior to the vote taken, Ms. Butlin reported that she observes many people trespassing upon hers and others' private property and that this trespassing problem seems to

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have coincided with the three-hour parking spaces on lower Ferry Road.

Ms. Butlin reported that the trespassers leave behind litter, etc., and that she is concerned about her personal safety and that of her neighbors.

Police Chief Canario reported that Lt. Brian Burke will meet with Ms. Butlin and others. He also reported that he has heard conflicting stories concerning this neighborhood situation. He added that there does not appear to be any reports of trespassing.

Police Chief Canario also reminded the Council that State Law allows for the public to walk along the shoreline beyond the mean-high-tide mark.

A discussion ensued regarding the striping of parking spaces in this area with Councilman Herreshoff asking to know the rationale for creating the three-hour parking spaces.

Police Chief Canario reminded the Council that its honorable body requested that the State should provide parking spaces in this area and that the area was formerly parking prohibited.

Councilman Herreshoff suggested that the Council may wish to revisit the idea of having parking spaces available.

Council Chairman Marshall asked to know if the property might be outfitted with security cameras and rubbish receptacles.

Police Chief Canario suggested that surveillance cameras may be an option but further suggested that the Police Department might take a proactive approach and increase patrols in the area.

Councilman Herreshoff asked to know if trespassers move toward Ms. Butlin's home via the beach with Ms. Butlin responding that the trespassers sometimes enter the area through her shared private gate and driveway.

Ms. Butlin also reported that this driveway easement is shared by three families and also the Turnpike and Bridge Authority.

Councilman Teixeira asked to know if the trespassers are commercial fishermen with Police Chief Canario stating that he believes those using the area are recreational fishermen.

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5. Emily Fernandes, 30 Bay View Avenue re claim for damages

Herreshoff/Parella - Voted unanimously to refer this matter to the Insurance Committee, the Town Administrator, Director of Parks and Recreation, and the King Philip Little League.

Prior to the vote taken, Councilwoman Parella suggested that signage should be improved or added to indicate the potential hazard.

Town Administrator Mederos reported that she spoke with Recreation Director Burke regarding this matter and Recreation Director Burke has agreed to contact the King Philip Little League.

6. Ethan M. Tucker, 34 Thames Street re petition to draft policy to notify public when unsafe to swim - Bristol Harbor

Barboza/Parella - Voted unanimously to refer this matter to the Town Administrator.

Prior to the vote taken, a discussion ensued with Mr. Tucker reporting that he has become aware of certain beach closings and that there does not appear to be an official place for the public to find this information. He suggested that the information may be added to the Town website as a "courtesy" to the public at large.

Town Administrator Mederos noted that Town Beach closings are announced in the media but that she would investigate the matter and discuss same with the Parks and Recreation Department.

7. Kristin A. DeStefanis, AIC, Amica Mutual Insurance Company, for Leigh-Ann Geyer re claim for damages

Barboza/Teixeira - Voted unanimously to refer this matter to the Town Solicitor.

**K. OTHER NEW BUSINESS REQUIRING TOWN COUNCIL ACTION**

**TOWN COUNCIL MEETING - WEDNESDAY EVENING - AUGUST 29, 2012**

1. Jeffrey M. Willis, Deputy Director, Coastal Resources Management Council (CRMC) re Public Hearing, September 11, 2012 - proposed changes to Sections 100, 210.2, and 300.4 of Coastal Resources Management Program

Herreshoff/Teixeira - Voted  
unanimously to receive and place  
this matter on file.

Prior to the vote taken, Councilman Teixeira asked to know if any of these proposed changes to the Program would impact the Town of Bristol.

Director of Community Development Williamson stated that she would review the proposed changes and will file objections with CRMC should she disagree with the implementation of same.

2. Raymond DeLeo, 328 High Street re drainage resolutions - Tanyard Brook

*It is hereby noted for the record that discussion and action concerning this matter took place concurrently with agenda item B6 as found above.*

3. Councilman Barboza re Out of Service Fire Hydrants - Poppasquash Road

Barboza/Teixeira - Voted  
unanimously to instruct the Clerk  
to arrange a workshop concerning  
this matter to include the local  
General Assembly delegation, the  
Town Administrator, representatives  
of the Bristol County Water  
Authority with the overall goal of  
an action plan.

Prior to the vote taken, Council Chairman Marshall noted the presence of Bristol County Water Authority (BCWA) Executive Director Pamela Marchand.

Councilman Barboza noted that Town Administrator Mederos and the Council are concerned about this issue and also that he is aware that the Fire Department has a plan in place to react to emergencies in the area. He also reported that he met with Ms. Marchand, Town Administrator Mederos and Kevin Booth of the BCWA.

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Councilman Barboza reported that the Fire Chief was also pursuing other remedies and suggested that all of the various parties might wish to discuss this matter in a workshop and that the central issue may be one of finance.

Ms. Marchand apologized to the Council indicating that there was an impression in the public that there would be no follow-up to the matter of taking the fire hydrants out of service when there was definitely the intention to have a follow-up discussion.

Ms. Marchand reported that there is a very old 8000 foot line which is insufficiently sized to accommodate fire hydrants and that the Fire Department was adamant that the hydrants were unusable since were these to be used, the resulting drop in water pressure would allow contaminants to leach into the water supply.

Ms. Marchand added that the BCWA is working with the State DEM on a solution to the problems also.

Councilman Barboza stated that the parties have discussed options and that the ideas might best be discussed at the workshop he proposed.

Councilman Herreshoff stated that it was his belief that the line in question was not very old but rather was installed recently by Anthony Nunes when Mr. Nunes built houses in the area. He added that he was curious to know who engineered the Nunes line and what the engineering reason was that concluded the line was no longer satisfactory.

Ms. Marchand explained that the subject line was installed in the 1800s by Samuel Colt and that a developer added to the line in the 1980s in order to build houses. She added that these houses were purported to have sprinklers installed as a requirement of the development. She added that Water Authority records indicate that these sprinkler systems were never activated.

Councilman Herreshoff asked to know if the Water Authority collected a sprinkler system fee from these properties with Ms. Marchand responding that there was no fee since the systems were never activated.

Councilman Herreshoff stated that he believes the BCWA must provide water to the area and asked to know why the fire hydrants were removed.

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Ms. Marchand responded that a new water main is needed if fire hydrants are to be placed in the area.

Councilman Herreshoff asked to know if the situation could be resolved through the installation of a booster pump with Ms. Marchand responding that a booster pump would not be acceptable since it may negatively impact the 100 year old water main.

Councilman Herreshoff stated that he believed the main was installed by Anthony Nunes in the 1980s.

Ms. Marchand responded that Mr. Nunes added to the old line in the 1980s but that the old line feeds the 1980s line.

Councilman Herreshoff stated that he wished to know a solution to the problem.

Council Chairman Marshall suggested that the Council may wish to speak to Mr. Klepper (BCWA Chairman). Council Chairman Marshall added that the reason why he supports having a workshop is to focus on the problem and discuss potential solutions.

Town Administrator Mederos reported that Fire Chief Martin was searching for possible solutions.

Councilman Herreshoff stated that an engineering study should be completed prior to a workshop.

Ms. Marchand agreed to continue to look for options.

Council Chairman Marshall stated that the first concern is the health, safety and welfare of the Town's citizens and that he believes that the BCWA should give this matter its immediate attention.

Councilman Barboza noted that the various parties seem to agree that the main problem is that the line lacks sufficient water and adequate pressure to support fire fighting.

Councilwoman Parella noted the contents of the letter of Ms. Westcott and asked Fire Chief Martin to know if some of the residences in the area have sprinkler systems.

Fire Chief Martin stated that he did not have information concerning sprinklers in single-family residences.

Ms. Marchand stated that sprinklers provide a viable option.

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Fire Chief Martin reported that many of the residences south of the main gate on Poppasquash Road have resolved fire-fighting issues with cisterns, ponds, etc. He added that the existence of the cisterns and fire-fighting ponds are generally acceptable to insurance carriers. He also added that he has a task force to address Asylum Road and up to 99 Poppasquash Road.

Fire Chief Martin also reported that he plans to go to Little Compton to examine a so-called "TurboDraft" device which may be used to draw water 200 feet from the water source. Fire Chief Martin added that he will return with prices and availability information should the device appear practicable.

Council Chairman Marshall noted that Representative Gallison has expressed interest in this issue since part of the area of concern is State property (Colt State Park). He added that the State appears interested in partnering with the parties toward a solution to the problem.

Georgina Macdonald of 125 Poppasquash Road indicated that she appreciated that the Council was attentive to the issue but added that she was distressed to learn that the water line installed in the 1980s was inadequate. Ms. Macdonald stated that she was also concerned that the BCWA website does not include contact information.

Ms. Macdonald also questioned why the problems discovered on Franklin Street appear to be resolved when the Poppasquash Road problem was not.

Fire Chief Martin responded that the fire hydrants on Poppasquash Road, although connected to a water source, were inoperable.

Councilman Herreshoff asked to know if the hydrants had been tested with Fire Chief Martin responding that the testing is the responsibility of the Water Authority.

Councilman Herreshoff asked to know about previous tests with Fire Chief Martin responding that the serviceability of the hydrants degraded over time and the line was corroded and calcified.

A discussion ensued regarding the condition of the pipes.

Jil Westcott explained that no one told her that there was a problem with the fire hydrants in 2009 and that she is of



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the opinion that the Town has an obligation to inform property owners when something is not "up to snuff."

She asked to know if the Town will build fire ponds for the residents.

Councilman Barboza stated that this option may be a consideration.

Councilman Herreshoff stated that he was concerned that the Water Authority chose to remove the hydrants without informing anyone. He added that there is a "new" BCWA in place and that it should be paramount for the new regime to repair lost confidence.

Councilman Teixeira asked to know if the residents were notified with Ms. Westcott replying that she was not notified.

Councilman Teixeira noted that he began the dialogue regarding this matter when he raised the issue at the last meeting.

Councilman Barboza noted that some of the area residents received notice from the BCWA.

A discussion ensued regarding the notice, etc.

Director of Community Development Williamson stated that perhaps her recommendation for permit tracking software may find further use in situations such as this.

Director of Community Development Williamson added that the Town may wish to ordain a regulation requiring fire suppressions systems for new construction in problem areas.

Councilman Barboza explained that the Town pays rent to the BCWA for the public hydrants.

E. Peter Church of 40 Harbor View Avenue stated that he was the last resident to build on his street completing his house in 1997 and that there was apparently no problem with the water then and no talk of the need for sprinklers. He added that Mr. Nunes built Harbor View c.1948.

Mr. Church also reported that there is newly planted grass seed where the hydrant near his house used to be.

Mr. Church asked to know the status of the hydrants on the Quinta-Gamelin property with Councilman Barboza noting that

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it may be best to discuss this matter more comprehensively in a workshop setting. He added that this will also allow the experts to obtain more answers to these questions and concerns.

Fire Chief Martin noted that the Quinta-Gamelin property hydrants are privately owned and not part of the BCWA/Town hydrant system. He added that this type of hydrant is the responsibility of the owners.

Mr. Church asked to know if the Fire Department can hook up to the Quinta-Gamelin hydrants with Fire Chief Martin stating that the Town is considering this option.

Council Chairman Marshall explained that there may be a "looping option" with a line nearby on Duffield Road and that this possibility is now being examined. He added that he is a resident of Harbor View Avenue and was not made aware of the hydrant removal.

Herbert Cummings of 11 West Harbor Road informed the Council that he has lived at this location for 14 years and he thanked the Council for "jumping right on it."

Mr. Cummings noted that the problems likely did not just happen and that he was pleased to learn of the Town's concern and that he was of the opinion that the problem was being approached properly.

Council Chairman Marshall stated that he knows that the BCWA is working on action plans. He stated that he wishes to assure those concerned that the matter was receiving the utmost attention by the parties.

Clifford Woods of 133 Poppasquash Road informed the Council that he added to his house in 2005 with the consideration that a fire hydrant was nearby. He suggested that the Fire Department might consider purchasing equipment to draw salt-water.

Fire Chief Martin stated that it is not possible to take fire trucks off of paved roads. He added that he is investigating portable devices which may be able to be used off-road and he is determining the best access spots for these.

Andrew Tyska of Bristol Marine informed the parties that his company has water line route data and offered same to the BCWA for its use.

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Council Chairman Marshall noted that the authorities are already considering the availability of the Bristol Marine data and thanked Mr. Tyska for his offer.

Councilwoman Parella stated that she considers this to be the Council's most-pressing issue. She added that considering all that the parties have been through concerning the BCWA, this appears to be the most distressing and that BCWA should make this a priority also.

Councilman Barboza agreed with Councilwoman Parella and stated that the Council should not accept the status-quo on this issue.

Council Chairman Marshall asked Ken Booth of the BCWA if hydrants may be put back in operation.

Mr. Booth responded that the BCWA's operations informed customers of the situation. He noted that the Colt State Park line was tested and a determination was made that the line has insufficient flow. He explained that the hydrants would not work. He added that the hydrants were removed and the lines were capped and that the hydrants can be readily returned if the line flow issues are resolved.

Council Chairman Marshall asked Mr. Booth to test the line on Duffield Road so as to determine if this may be tied into the problem line to make a "loop."

Mr. Booth stated that this will be done tomorrow.

Councilman Herreshoff asked to know the required size of the pipe with Mr. Booth explaining that an 8" pipe is "standard" but that a 6" pipe will suffice if looping and boosting are added to the line.

4. Director of Community Development Williamson re application of Kin Wah Ko - petition to amend Zone Use Map under the Zoning Ordinance for 387 Metacom Avenue (Assessor's Plat 47, Lot 26) from GB (General Business) to MMU (Metacom Mixed Use) and also petition of Town of Bristol to amend Zone Use Map under the Zoning Ordinance for adjacent Bay View Avenue property (Assessor's Plat 47, Lot 4) from R-10 (Residential) to MMU (Metacom Mixed Use), **call for public hearing on October 24, 2012**

Teixeira/Herreshoff - Voted  
unanimously to call for a public

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hearing concerning this matter to be held on October 24, 2012 and to request an advisory opinion from the Planning Board. Advertise in local newspaper.

Prior to the vote taken, a discussion ensued regarding this matter.

**L. BILLS & EXPENDITURES**

**1. Bid #762 - 2012 Fall Tree Planting**

Barboza/Teixeira - Voted unanimously to refer this matter to the Town Administrator and Director of Community Development to act in the best interest of the Town.

Prior to the vote taken, the Clerk read the following bid as received:

M-O-N Landscaping, Inc.                      N. Dartmouth, MA              \$13,910

(CA) M. ROUTINE REPORTS

(CA) N. FINANCIAL REPORTS

**Approval of consent agenda="Motion to receive and place this item on file."**

1. (Town Treasurer Goucher) re Revenue and Expenditure Statement through August 24, 2012

**P. PROCLAMATIONS & CITATIONS**

(CA) Q. CITY & TOWN RESOLUTIONS NOT PREVIOUSLY CONSIDERED

**Approval of consent agenda="Motion to receive and place these items on file."**

1. Nancy L. Mello, Tiverton Town Clerk re resolution opposing tolls on Sakonnet River Bridge

*It is hereby noted for the record that this matter was considered in combination with agenda item Q2.*

**TOWN COUNCIL MEETING - WEDNESDAY EVENING - AUGUST 29, 2012**

Teixeira/Parella - Voted unanimously to instruct the Clerk to resend a copy of the Council's Resolution regarding this matter as adopted in June 2012 along with a cover letter explaining the Council's continued concern and to provide said letter and copy to the local General Assembly delegation, the Rhode Island Senate President, the Speaker of the Rhode Island House of Representatives, and also to the Rhode Island Bridge and Turnpike Authority.

Prior to the vote taken, Assistant Solicitor Teitz reported that Tiverton has a multi-part campaign in opposition to the tolls and that the General Assembly will not convene until January. He added that tolls on the Mount Hope Bridge may become the next issue.

It was noted that the Council already sent a resolution in opposition to tolls on both bridges and that it may be useful to reiterate the Council's concern by re-sending the earlier resolution with a cover letter.

2. Joanne M. Mower, Portsmouth Deputy Town Clerk re request for support of resolution opposing the instituting of tolls on the new Sakonnet River Bridge

*It is hereby noted for the record that discussion and action concerning this matter took place concurrently with agenda item Q1 as found above.*

**(CA) R. DISTRIBUTIONS/COMMUNICATIONS**

**Approval of consent agenda="Motion to receive and place these items on file."**

1. Town Solicitor Ursillo to Thomas F. Kogut, Associate Administrator (CATV), RI Division of Public Utilities and Carriers re Proposed Amended Regulations

Barboza/Herreshoff - Voted unanimously to receive and place this matter on file.

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Prior to the vote taken, Councilman Barboza noted that Anthony Armao and Mike Davis attended this hearing and that the PUC appeared to have lost the letter from Town Solicitor Ursillo and then the letter was found "mysteriously" when Mr. Davis told the PUC that the Solicitor had sent same on behalf of the Town's interest.

Town Administrator Mederos noted that she called Mr. Kogut after the meeting when the letter was authorized and told him that the letter was forthcoming so that she was surprised to learn that he was unaware of it.

2. Raymond S. DeLeo II, President and Treasurer, Gooding Realty Corporation to Town Administrator Mederos re Rhode Island Public Access Studio
3. Warrant - George Burman, Economic Development Commission
4. Council Clerk Cirillo to Jennifer Sylvia, Esq., Rob Levine & Associates re Donna Giblin - denial of claim
5. Warrant - Eric Sponseller, Redevelopment Agency (First Alternate)
6. Warrant - Charles C. Cavalconte, Economic Development Commission (First Alternate)
7. Warrant - David P. Raposa, Zoning Board of Review
8. Warrant - Patricia McLaughlin, Economic Development Commission
9. Class F Alcoholic Beverage License - St. Elizabeth Church, 577 Wood Street, October 13, 2012
10. Warrant - Pamela D. Delaney, Economic Development Commission
11. RIDOT re Community Update - Hope Street project (August 12-25, 2012)

**(CA)** RR. DISTRIBUTIONS/NOTICE OF MEETINGS  
(Office copy only)

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**Approval of consent agenda="Motion to receive and place these items on file."**

1. Bristol Warren Regional School Committee - Council 94 Contract Negotiation Team, August 8, 2012
2. Bristol County Water Authority (BCWA) - Full Committee of the Board, August 8, 2012
3. Bristol Warren Regional School District (BWRSD) - schedule of meetings, week of August 12, 2012
4. Bristol Warren Regional School Committee - Budget/Facilities Subcommittee, August 14, 2012
5. Bristol Warren Regional School Committee - Personnel/Contract Negotiation Subcommittee, August 14, 2012
6. Bristol Warren Regional School Committee - workshop, August 14, 2012
7. Bristol Warren Regional School District (BWRSD) - Schedule of Meetings, Week of August 19, 2012
8. Bristol Warren Regional School Committee - Council 94 Contract Negotiation Team, August 22, 2012
9. Citizens Property Revaluation Advisory Committee - August 21, 2012
10. Bristol Warren Regional School District (BWRSD) - Joint Finance Committee Subcommittee, August 23, 2012
11. Bristol County Water Authority (BCWA) Board of Directors - August 15, 2012 (revised)
12. Bristol Warren Regional School District (BWRSD) - Schedule of Meetings, Week of August 26, 2012
13. Bristol Warren Regional School Committee - Personnel/Contract Negotiation Subcommittee, August 27, 2012

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14. Bristol Warren Regional School Committee -  
Council 94 Contract Negotiation Team, August  
30, 2012

S. TOWN SOLICITOR

1. Town Solicitor Ursillo re License for  
Alcoholic Beverages at Sidewalk Tables

Herreshoff/Barboza - Voted  
unanimously to take this matter  
under advisement pending a further  
report from the Chief of Police.

Prior to the vote taken, Council Chairman Marshall noted that the information was provided for Council review so as to allow the Council to consider the appearance of such an ordinance.

Town Administrator Mederos added that the Police Department will also be supplying a report on the matter.

Assistant Solicitor Teitz stated that any area where this practice will be allowed must be specifically defined. He added that the wait staff will have to control the service to the customers.

Councilman Herreshoff stated that there appeared to be many "ramifications" to this possibility.

Councilwoman Parella stated that it is likely that, if allowed, customers will sit, eat, and drink and not be consuming alcohol while standing, etc.

Police Chief Canario stated that he wished to have the opportunity to further evaluate the proposal.

Councilwoman Parella noted that some sidewalk use licenses are granted to very narrow spaces on public sidewalks.

Councilman Teixeira asked to know if the Town could impose a time limitation with Assistant Solicitor Teitz responding that the Council will have to take into account the circumstances of the individual applicants.

2. Town Solicitor Ursillo re Access to Public  
Records Act (APRA) - Designation of Public  
Officers and Adoption of Written Procedure  
and Form



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Barboza/Herreshoff - Voted unanimously to appoint the designated Public Officers and to adopt the Written Procedure with the following amendment to include "....Police Department for police criminal such as arrest records, the Town Clerk's Office for all Town Clerk, Town Council, Probate Court, Municipal Court, and Land Evidence related records requests....."

Prior to the vote taken, Assistant Solicitor Teitz explained his amendments to the written procedure, qualifying the refinement of the language as found in the motion above.

3. Town Solicitor Ursillo re Wendy's No 1668241, d/b/a Wendy's, 590 Metacom Avenue, **call for show cause hearing (date TBD)**

Herreshoff/Teixeira - Voted unanimously to call for a show cause hearing to consider revocation of the Victualling License held by Wendy's, to be held on Wednesday evening, September 19, 2012 in the Town Hall, Council Chambers beginning at 7:00 o'clock PM. Advertise in local newspaper.

Prior to the vote taken, Assistant Solicitor Teitz informed the Council that this action is recommended since the licensee has failed to properly maintain its mandatory grease trap. He also informed the Council that the Water Pollution Control Department issued a notice of violation and imposed a fine and received no response from the licensee.

Assistant Solicitor Teitz suggested that the hearing could be held on September 19, 2012.

**Z. INDIVIDUAL COUNCIL MEMBERS AGENDA ITEMS**

**1. MARSHALL**

- a. Mike Davis - Council Chairman Marshall thanked Mike Davis for his services this evening.

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b. Civic Involvement - Council Chairman Marshall noted the previously discussed fundraising event intended to aid the family of "Baby Emma" as noted above and congratulated the various volunteers. He added that the outpour of support for this cause was a testament to the quality of life in Bristol.

c. Code Compliance - Council Chairman Marshall noted that some properties which appear to be in foreclosure are lacking in proper grounds maintenance. He noted that there is a house on the northerly side of Chestnut Street that appears particularly unkempt.

Town Administrator Mederos agreed to check into this matter.

d. DOT Concerns - Council Chairman Marshall noted that some driveways along Hope Street, outside of the construction area, were experiencing a "pot-hole effect." He noted that the homeowners appear to be willing to bear the expense for repair and asked to know if the Town might aid in expediting the permit process.

Town Administrator Mederos asked to know who is in need of assistance and Council Chairman Marshall agreed to provide the names of the individuals.

e. Street Lamps - Council Chairman Marshall stated that he was pleased to see the new street lamps along Hope Street and described the area as a "Norman Rockwell scene." He congratulated Town Administrator Mederos on this improvement.

Town Administrator Mederos noted that the Hope Street improvement, including the new street lights, was a "team effort."

**2. BARBOZA**

a. Concerts on the Common and Last Night Concert - Councilman Barboza observed that the last of the Concerts on the Common concert series will be on Thursday, August 30 and also that the annual "Last Night" RI Philharmonic concert will be held on September 2, 2012 beginning at 5:30 o'clock PM.

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Councilman Barboza thanked Full-Channel TV for matching the donations collected during Concerts on the Common.

Councilman Barboza also noted that Thames Street will remain open during the Last Night concert.

b. Herreshoff Birthday - Councilman Barboza noted that Councilman Herreshoff will celebrate his birthday on September 6.

3. TEIXEIRA

a. First Day of School - Councilman Teixeira noted the first day of school on August 28, and stated that he noticed many happy faces that day. He thanked the Police Department for providing safety patrols on the first day of school.

b. Labor Day - Councilman Teixeira noted the approaching Labor Day on September 3.

4. HERRESHOFF

5. PARELLA

a. September 11 Democrat Primary - Councilwoman Parella noted the upcoming statewide Democrat primary to be held on September 11, 2012 and wished all of the candidates well.

Councilman Barboza noted that those voters who are unaffiliated may vote in the Democrat primary and disaffiliate afterwards if they wish to do so.

b. Labor Day Weekend - Councilwoman Parella noted the upcoming Labor Day weekend and offered her best wishes for an enjoyable three-day weekend.

ZZ. TOWN ADMINISTRATOR AGENDA ITEM(S)

a. State Street Dock - Town Administrator Mederos invited those present to a "virtual ribbon cutting" to celebrate the State Street Dock rehabilitation project.

b. *Coastal Living* Magazine - Town Administrator Mederos reported "a nice spread" about the Town in a recent issue of *Coastal Living* magazine. She

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agreed to provide a copy of the article to the individual Council members.

c. Art Night - Town Administrator Mederos noted that the fabricator of the new downtown rubbish receptacles will demonstrate his ironworking talents on the State Street Dock during the upcoming Art Night on August 30, 2012 beginning at 5:00 o'clock PM.

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CITIZENS PUBLIC FORUM

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There being no further business, upon a motion by Councilman Barboza, seconded by Councilman Herreshoff and voted unanimously, the Chairman declared this meeting to be adjourned at 10:38 o'clock PM.

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Louis P. Cirillo, CMC, Council Clerk